

Washington Oil Spill Advisory Council

Work Plan

I. Work to Present Legislature with Funding Options for the Washington Oil Spill Program We Envision

- Funding work includes doing the following:
 - a) By reviewing lessons learned, the work of other committees and councils, and other prevention programs, identify components of a state-of-the-art prevention, response, remediation, and recovery program and determine which components should be implemented in Washington. (Part II is also a subset of this.)
 - b) Identify federal activities that are required or authorized under law, but are not happening due to lack of funding.
 - c) Identify activities being done by the State under an agreement with the federal government, which the federal government is not funding.
 - d) To achieve a state-of-the-art program, identify what work needs to be done and funded that is not being done or funded by either the state or federal government.
 - e) Prioritize the above activities and identify the cost of accomplishing them. (Part II is also a subset of this.)
 - f) Identify sources of funding for the above activities.
 - g) Explore what industries, other than the oil industry, should share the cost of Washington's oil spill program based on risk relating to number and volume of spills, in light of Washington's zero spill prevention stance.
 - h) Fully examine issues relating to the taxes calculated for, imposed on, and credited to the oil industry for oil crossing Washington's waters to determine if changes to the barrel tax rate or tax rebates are prudent in light of risk and responsibility. Obtain information that will make it possible for the council to do this evaluation, including information regarding the amount of oil crossing Washington's waters.
 - i) Explore raising the cap on the Emergency Response Fund.

II. Don't Reinvent the Wheel in Creating a State-of-the-art Oil Spill Prevention Program for Washington

In creating a state-of-the-art oil spill prevention program for Washington, do the following:

- a) Review other model programs and identify the best practices being used.
- b) Review the work of other councils and evaluate their work in technical committees.
- c) Review "near miss" data.
- d) Review "lessons learned" reports and recommendations given by other task forces. Analyze these and either reject or approve these as being prudent. Prioritize those that are approved. Identify whether the approved lessons learned and recommendations are being implemented. If so, where? If they are not, why not and what things could the council recommend that would enable and ensure unimplemented lessons learned are finally implemented.

III. Explore and Make Recommendations Regarding Better Prevention and Rapid Response Efforts

Identify and prioritize creative ways to do the following:

- a) Eliminate accidents caused by human error.
 - Examples include accidents due crewmembers getting inadequate sleep or being double tasked, such as where they are required to stand watch on a vessel and then work on a barge.
- b) Eliminate accidents rooted in organizational factors.
 - Examples of organizational factors include corporate cultures that do not value adhering to corporate policy on routine maintenance or that demand adhering to vessel schedules despite risks.
- c) Pertaining to the cargo and oil industries and their response contractors, improve prevention and response readiness via laws or regulations that may, among other things, require more frequent ongoing surprise drills and additional personnel (may be based on performance).
- d) Improve Ecology's regulatory program regarding prevention and rapid response preparedness in ways determined by the council after a program evaluation.
 - Examples may include, but are not limited to,
 - mandatory pre-booming, response drills, and additional personnel and
 - vessel and facility inspection improvements and stronger enforcement authority.

- e) Evaluate the effectiveness, and when necessary, stiffen and make mandatory current voluntary measures relating to prevention and rapid response preparedness for oil and cargo vessels.
- f) Eliminate accidents with additional risk-based shipping lane and area restrictions.
 - Examples may include
 - Making certain passages off limits to ships carrying large amounts of oil, such as the Olympic coast national Marine Sanctuary.
 - Limiting movement through certain waters in dangerous weather conditions, and
 - Limiting movement through certain areas identified as ecologically sensitive and vulnerable.
- g) Ensure continual funding of the Neah Bay rescue tug.
- h) Eliminate spills from “Derelict Vessels.”
 - This may include bringing together and coordinating various agencies with jurisdiction over derelict vessels to work cooperatively to improve the derelict vessel program.
- i) Recommend the institution of cost effective placement of rescue tugs in strategic locations to eliminate spills.
 - This may include evaluating the International Tugs of Opportunity Program for effectiveness and improvement.
- j) Enhance spill prevention with changes to the escort tug program.
 - This may include
 - changing the number of escort tugs required,
 - altering the types of vessels required to be escorted, and
 - requiring that escorts be extended further west.
- k) Evaluate whether there are sufficient resources in Washington to handle a major oil spill and make recommendations on how sufficient resources can be obtained.
 - One example may include whether there is enough boom to handle a major spill.
- l) Identify technologies that can be used to track how oil spills move and make recommendations on how this information can be incorporated and utilized. Consider funding research and development of new oil spill detection equipment.
- m) Identify and evaluate methods, resources, and responsibilities for rapid assessment of biological damage and long-term environmental monitoring. Recommend ways to recover natural resource damages.
- n) Identify necessary improvements to recovery efforts to habitat, wildlife, aquatic resources, and local economies.
- o) Ban two- cycle motors from waters of the state.
- p) Identify regulations that may be unnecessary and the possibility of removing them.

IV. Coordination of Federal, State, Inter-state, Tribal, and Local Governmental Prevention, Readiness, and Response Efforts for Maxim Effectiveness and Efficiency

- a) Work with Washington's federal congressional delegation and seek improved state-federal cooperation, increased Coast Guard funding for prevention activities in Washington State, federal delegation to Washington of prevention authority, and assistance with interstate compact discussions with other west coast states.
- b) Discuss with other west coast states the possibility of entering into interstate compacts for prevention efforts.
- c) Identify areas in which the Coast Guard and Ecology's efforts are unnecessarily duplicated regarding prevention, readiness, and response. Make recommendations on how these agencies could better complement one another.
- d) Explore Intertanko "Window." After identifying components of a state-of-the-art prevention program and identifying which aspects of that program would best be implemented at the state level. Work with legal counsel to identify areas where state action is allowable in light of peculiarities of state waters.
- e) Identify and understand the role of tribes, local community organizations, and local first responders within existing response systems, and ensure that those with a role are adequately communicated with and supported.

V. Identify Locations within Washington Waters that are Hyper-critical to protect due to their ecological or other significance and Take Appropriate Action to Create, enhance, and Implement Geographic Response Plans (GRPs) to Prevent Spills from Reaching these Areas

- a) Develop and recommend ways to accelerate the process of accurately and rapidly creating and updating Geographic Response Plans (GRP) for shellfish beds, areas of important wildlife significance, , and for areas that may be difficult to protect using typical measures.
- b) Initiate an aggressive and comprehensive effort to identify sensitive resources using scientific and local knowledge.
 - ❖ This may include
 - developing relationships with informed information providers such as tribes, community groups, citizen volunteers, commercial fishermen, shellfish bed operators, and academic and research groups and
 - developing computer software to accelerate the plan development process.
- c) Coordinate recommendations with Ecology's Contingency Planning Rule.

VI. Community Involvement

Consider recommending a Local First Response Program that would enhance the GRP program by:

- a) Identifying and prioritizing groups and organizations for participation in a locally based rapid response and remediation program, possibly as initial response contractors.
- b) Funding and training local first responders to rapidly and effectively utilize GRPs within their geographic location and to contain spills within two hours.
- c) Ensuring availability of equipment for each local rapid responder group to store locally for easy and rapid deployment that includes unannounced drills and evaluations.
- d) Implementing a routine response drill program for first responders.

VII. Community and Council Education

- a) Develop components of a citizens education program for the council and / or staff to undertake.
- b) In addition, council members may submit written materials for compilation into an educational binder that staff will distribute to the council.

VIII. Fulfill Tracking and Advisory Role

- a) As staff will keep the council abreast of comment periods for regulatory rulemaking processes, develop a protocol for convening and commenting when rule announcement and comment deadlines fall between regularly scheduled council meetings.
- b) Devise a system for critiquing Ecology ordered evaluations of oil spills or lessons learned and determine when to make suggestions to Ecology for improving these evaluations.
- c) Provide the council's response to ongoing issues, such as:
 - any proposed lifting of either the congressional moratorium on off-shore drilling or the ban on drilling in the Olympic Coast Marine Sanctuary and
 - Ecology's rules regarding contingency planning and oil transfers